

Appendix G

VERY HIGH FIRE HAZARD SEVERITY ZONING (LRA) REGULATIONS SUMMARY

- Assembly Bill 337 (Bates) became law January 1, 1993, adding Government Code Sections 51175 et seq., and amended Health and Safety Code Section 13108.5
- Regards Very High Fire Hazard Severity Zones (VHFHSZ) within Local Responsibility Areas (LRA)
- CDF designated lead agency to determine areas within LRA which meet established criteria for a VHFHSZ
- Participation of local authority entirely discretionary. Local authority may disagree classification and choose not to adopt, or make the contention that its jurisdiction meets or exceeds Bates
- If local jurisdictions desire to participate in the Bates project, they must adopt a local ordinance which requires at least a class B roof for all new construction, and when at least 50% of the existing roof is replaced; along with a number of other fire safe measures as 30-foot minimum clearances, additional clearances of 30-40 feet, screens over chimneys, no overhanging branches, and the like
- Model ordinance, as developed by the State Fire Marshal, can be adopted as a local ordinance which complies with Bates
- Once local jurisdictions are notified by CDF that such a zone exists within their jurisdiction, they have 120-days to enact the more restrictive ordinance, unless the jurisdiction already has in place an ordinance which meets or exceeds that required by Bates
- If the local authority chooses to exclude an area from the requirements to maintain vegetation clearances as prescribed in Bates, that local authority must make findings supported by substantial evidence in the record that the requirements of Government Code Section 51182 are not necessary for effective fire protection within the area
- In contrast to the above, the local authority can also include areas within the VHFHSZ in their respective jurisdictions which were not identified by CDF, following findings supported by substantial evidence in the record
- Changes made by the local authority to the recommendations of CDF shall be final and are not rebuttable by the Director
- The term Very High Fire Hazard Severity Zone need not necessarily be used in local ordinances to describe this area
- Assembly Bill 3819 became law on September 25, 1994, adding Government Code Sections 51178.5 and 51189, and amending Health and Safety Code Sections 13108.5 and 13132.7.
- Requires that local agencies allow for public review of identified VHFHSZ in the form of maps within 30 days of notification by the CDF director
- Requires that the State Fire Marshal's Office develop a Model Ordinance that provides for comprehensive space and structure defensibility, including building design and construction requirements.